## United States District Court

## Eastern District of Missouri

UNITED STATES OF AMERICA

Defendant   Defendant   In accordance with the Bail Reform Act, 18 U.S.C. §3142(f) a detention bearing has been held. I conclude that the following facts require detention of the defendant pending trial in this case.    Part 1 - Findings of Fact   The defendant is charged with an offense described in 18 U.S.C. §3142(D(1) and has been convicted of a (federal offense) (stale of offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is a crime of violence a defined in 18 U.S.C. §316(a)(3).     an offense for which the maximum sentence is life imprisonment of each.     an offense for which a maximum term of imprisonment of ten years or more is prescribed in     a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. §3142(D(1)A)-(C), or comparable state or local offenses.     (2) The offense described in finding (1) as committed while the defendant was on release pending trial for a federal, state or offense.     (3) A period of not more than five years has clapsed since the (date of conviction) (release of the defendant from imprisonment) for Offense described in finding (1).     (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reason assure the safety of (un)other person(s) and the community. I further find that the defendant has not rebutted this presumption statistic and offense in or which a maximum term of imprisonment of ten years or more is prescribed in under 18 U.S.C. §924(c).     (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions reasonably assure the appearance of the defendant as required and the safety of the community.     (1) There is a serious risk that the defendant will endanger the safety of another person or the community.     (2) There is a serious risk that the defendant will endanger the safety of another person o			<del>_</del>
In accordance with the Bail Reform Act. 18 U.S.C. §3142(f) a detention hearing has been held. I conclude that the following facts requiredention of the defendant pending trial in this case.		JEROME BURSE	Case Number: 4:07CR0508 HEA
C1   The defendant is charged with an offense described in B U.S.C. \$3142(0)(1) and has been convicted of a (federal offense) (stated offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is a crime of violence as defined in B U.S.C. \$3156(a)(4).   an offense for which the maximum sentence is life imprisonment or death.   an offense for which a maximum term of imprisonment of fen years or more is prescribed in an offense for which a maximum term of imprisonment of fen years or more is prescribed in flower of the state or offense of the described in finding (1) was committed while the defendant was on release pending trial for a federal, state or offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or offense described in finding (1).   (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for offense described in finding (1).   (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions with respect to the original of the defendant has not rebutted this presumption.   (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for which a maximum term of imprisonment of ten years or more is prescribed in forwhich a maximum term of imprisonment of ten years or more is prescribed in under 18 U.S.C. \$994(c).   (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions reasonably assure the appearance of the defendant will not appear.   (3) There is a serious risk that the defendant will not appear.   (4) There is a serious risk that the defendant will endanger the safety of another person or the community.   Neither party had any objections to the information contained in the Pretrial Services Report (PSR) dated Septembe 2007		n accordance with the Bail Reform Act, 18 U.	
September 5, 2007   South Processing States of the defendant was on release pending trial for a federal, state or offense.   Committing new forms of the wide personal betate or local offenses.		(I) The defendant is charged with an offe local offense that would have been a faction a crime of violence as defined in an offense for which the maxim	Part 1 - Findings of Fact nse described in 18 U.S.C. §3142(f)(1) and has been convicted of a (federal offense) (state of Gederal offense if a circumstance giving rise to federal jurisdiction had existed) that is 18 U.S.C. §3156(a)(4). um sentence is life imprisonment or death.
Alternative Findings (B)  (1) There is a serious risk that the defendant will not appear.  (2) There is a serious risk that the defendant will endanger the safety of another person or the community.  Neither party had any objections to the information contained in the Pretrial Services Report (PSR) dated Septembe 2007, which the Court adopts and incorporates herein.  Part II - Written Statement of Reasons for Detention  I find that the credible testimony and information submitted at the hearing establishes by  a preponderance of the evidence that  there is no condition or combination of conditions that will adequately assure Defendant's appearance or the safety of the community, for the reasons set forth in the PSR. The Court notes that Defendant has an extensive criminal history; has a history committing new offenses while on bond or probation; and has previously had terms of probation or parole revoked. In light of the indictment, there is also probable cause to believe that most recently Defendant escaped from the custody of the Bureau of Prison request to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The fendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States and the purpose of an appearance in connection with a court proceeding.    September 5, 2007		18 U.S.C. §3142(f)(1)(A)-(C), o  (2) The offense described in finding (1) w offense.  (3) A period of not more than five years ha offense described in finding (1).  (4) Findings Nos. (1), (2) and (3) establish assure the safety of (an)other person(s)  (1) There is probable cause to believe that for which a maximum term of in under 18 U.S.C. §924(c).  (2) The defendant has not rebutted the properties of the offense described in finding (1).	recomparable state or local offenses. This committed while the defendant was on release pending trial for a federal, state or local selapsed since the (date of conviction) (release of the defendant from imprisonment) for the narebuttable presumption that no condition or combination of conditions will reasonable and the community. I further find that the defendant has not rebutted this presumption.  Alternative Findings (A) The defendant has committed an offense mprisonment of ten years or more is prescribed in
I find that the credible testimony and information submitted at the hearing establishes by  a preponderance of the evidence that  there is no condition or combination of conditions that will adequately assure Defendant's appearance or the safety of the community, for the reasons set forth in the PSR. The Court notes that Defendant has an extensive criminal history; has a history committing new offenses while on bond or probation; and has previously had terms of probation or parole revoked. In light of the indictment, there is also probable cause to believe that most recently Defendant escaped from the custody of the Bureau of Prisons and the custody of the Bureau of Prisons and the custody of the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The fendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United State on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United State on request of an appearance in connection with a court proceeding.    September 5, 2007		<ul><li>(1) There is a serious risk that the defenda</li><li>(2) There is a serious risk that the defenda</li><li>Neither party had any objections to</li></ul>	Alternative Findings (B) ant will not appear.  In will endanger the safety of another person or the community.  To the information contained in the Pretrial Services Report (PSR) dated September 4,
The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correct facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The fendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United State on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United State marshal for the purpose of an appearance in connection with a court proceeding.    Dated: September 5, 2007	there	that the credible testimony and informatio  a preponderance of the is no condition or combination of condition nunity, for the reasons set forth in the PSR nitting new offenses while on bond or prob	n submitted at the hearing establishes by evidence that clear and convincing evidence that clear and convincing evidence that sins that will adequately assure Defendant's appearance or the safety of the The Court notes that Defendant has an extensive criminal history; has a history of pation; and has previously had terms of probation or parole revoked. In light of the
	facili fenda on rec marsh	The defendant is committed to the custody of the separate, to the extent practicable, from a shall be afforded a reasonable opportunity quest of an attorney for the Government, the half or the purpose of an appearance in configuration.	of the Attorney General or his designated representative for confinement in a correction persons awaiting or serving sentences or being held in custody pending appeal. The deay for private consultation with defense counsel. On order of a court of the United States of person in charge of the corrections facility shall deliver the defendant to the United State facility with a court proceeding.  /s/ Audrey G. Fleissig

<sup>\*</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. 5801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section I of Act of Sept. 15, 1980 (21 U.S.C. §955a).

DEFENDANT:	JEROME BURSE
CASE NUMBER:	4:07CR0508 HEA

AO 472 (Rev. 3/86) Order of Detention Pending Trial

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